



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,768	10/29/2003	Ryoichi Ochi	8022-1062	5283

466 7590 11/30/2005

YOUNG & THOMPSON
745 SOUTH 23RD STREET
2ND FLOOR
ARLINGTON, VA 22202

EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
----------	--------------

2686

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,768

Applicant(s)

OCHI ET AL.

Examiner

Khawar Iqbal

Art Unit

2688

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9-28-5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 and 14-15 are rejected under 35 U.S.C. 102(e) as being unpatentable by Nelson, JR. et al (20040147287).

3. Regarding claim 1 Nelson, JR. et al teaches a wireless LAN access point comprising (figs. 1-3):

a directional antenna, an interference detector detecting interference effected by another wireless LAN access point on said directional antenna (para. # 00150019-0020,0046); and

a direction adjusting mechanism adjusting a maximum gain direction of said directional antenna in response to said detected interference (para. # 00150019-0020,0040,0046, 0051).

Regarding claim 2 Nelson, JR. et al teaches further comprising a control unit determining an optimized direction in response to the detected interference, wherein said direction adjusting mechanism adjusts a maximum gain direction of the directional antenna to the optimized direction, and wherein said control unit determines said

Art Unit: 2688

optimized direction such that said directional antenna is free from said interference effected by said other wireless LAN access point (para. # 00150019-0020,0040,0046, 0051).

Regarding claim 3 Nelson, JR. et al teaches wherein said interference detector detects a strength of said interference from said other wireless LAN access points, and wherein said controller unit determines said optimized direction in response to said detected strength of said interference (para. # 00150019-0020,0040,0046, 0051).

Regarding claim 14 Nelson, JR. et al teaches a method for operating a wireless LAN access point including a directional antenna, said method comprising (figs. 1-3): detecting interference effected on said directional antenna by another wireless LAN access point (para. # 00150019-0020,0040,0046, 0051); determining an optimized direction in response to said detected interference (para. # 00150019-0020,0040,0046, 0051); and adjusting a gain maximum direction to said optimized direction so that said directional antenna is free from said interference (para. # 00150019-0020,0040,0046, 0051).

Regarding claim 14 Nelson, JR. et al teaches a method for operating a wireless LAN access point including a directional antenna, said method comprising (fig. 1): detecting a strength of interference effected on said directional antenna by another wireless LAN access point (para. # 00150019-0020,0040,0046, 0051); determining an optimized direction in response to said detected strength of said interference (para. # 00150019-0020,0040,0046, 0051); and adjusting a gain maximum direction to said optimized direction (para. # 00150019-0020,0040,0046, 0051).

Art Unit: 2688

Conclusion


Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal


RAFAEL PEREZ-GUTIERREZ
PRIMARY EXAMINER
11/28/05